

FISCAL NOTE

SB 2027 - HB 2277

January 18, 2002

SUMMARY OF BILL:

1. Permits the Tennessee Regulatory Authority (TRA) to regulate the transmission of unsolicited faxes.
2. Prohibits a person from transmitting or causing another person to transmit an unsolicited fax advertisement, unless the sender has a toll-free fax number whereby the recipient may notify the sender by return fax not to send any further unsolicited fax advertisements.
3. Requires all unsolicited fax ads to include in 12-point type on its first page a valid return address, a toll-free fax number, and a statement notifying the recipient to send a return fax with the word UNSUBSCRIBE if the recipient does not want to receive any further unsolicited advertisements.
4. Allows the recipient to provide the TRA with the request notice and a valid confirmation that the request was submitted to the sender if the recipient continues to receive unsolicited fax advertisements.
5. Authorizes the TRA to issue a cease and desist order, impose a civil fine up to a maximum of \$2,000 for each violation, and to seek additional relief in any court of competent jurisdiction.
6. Revenues derived from fines shall be deposited in the public utilities account in the state treasury.
7. Allows the remedies, duties, prohibition and penalties to be in addition to the consumer protection statutes as well as any other causes of action, civil remedies, and penalties provided by law.

ESTIMATED FISCAL IMPACT:

Increase State Revenues - \$100,000

**Increase State Expenditures - \$88,258 Recurring
\$10,000 One-Time**

Estimate assumes:

- Tennessee Regulatory Authority estimates at least 50 companies will be fined the minimum of \$2,000 for noncompliance.
- a need for one position and related expenses in the Tennessee Regulatory Authority to handle consumer inquiries and complaints and one position and related expenses to hear and preside over all disputed complaints made by the consumer.
- one-time cost for equipment.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

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